



U.S. Department
of Transportation

**Maritime
Administration**

DEPT. OF TRANSPORTATION
DOCKET

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400 Seventh Street, S.W.
Washington, D.C. 20590

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SEP 26 2002

Michael Mickelwait
Honolulu Sailing Co.
47-335 Lulani Street
Kaneohe, HI 96744

Waiver - Docket No. MARAD-2002-13188 - 3
Vessel: GAUGUIN

Dear Mr. Mickelwait:

You requested a waiver of the U.S.-build requirement of the Coastwise Trade Laws for the Vessel as authorized by Pub. L. 105-383, Title V, "Administrative Process for Jones Act Waivers." The Maritime Administration (MARAD) published your proposal in the Federal Register for a 30-day period of public comment. After due consideration of the documents in the Docket and as may be seen at <http://dms.dot.gov>, MARAD hereby approves your request and grants the waiver, subject to the terms set out below.

No public comment opposing grant of your requested waiver was received. Neither does MARAD have information from any other source suggesting that the requested waiver not be granted on grounds of undue market impact on vessel operators or vessel builders.

MARAD makes the following findings. The Vessel is an eligible vessel under Pub. L. 105-383. The employment of the Vessel that you propose will not adversely affect United States vessel builders or the coastwise trade business of any person who employs vessels built in the United States in that business.

Therefore, your requested waiver is granted, as follows:

Vessel: GAUGUIN
Effective Date: OCT 10 2002
Official Number: HA 4994G
Geographic Limits: Hawaiian Islands

Conditions: Commercial use is limited to the carriage of not more than 12 passengers for hire within the above geographic limits. No fish caught from this Vessel are to be sold commercially.



The effective date of the waiver is 10 business days after approval in order for the Maritime Administrator to "take review" if he so desires. If no action is taken by the Administrator, the waiver is effective as noted. Commercial use of the Vessel outside of the stated limits without MARAD permission may result in immediate revocation of the waiver. If substantial change in the use of the Vessel is contemplated, or if a different geographic area of operation is considered, you must give MARAD prior notice. We can be reached by mail at: Maritime Administration, Division of Domestic Shipping, MAR-832, Room 7201, 400 Seventh St., SW, Washington, DC 20590. The contact for MARAD is Kathleen Dunn, 1-800-986-9678 ext. 62307.

Additional requirements are necessary to obtain a Coastwise Endorsement and to operate the Vessel commercially. Information on using this waiver to obtain such an endorsement can be obtained from the U.S. Coast Guard National Vessel Documentation Center (NVDC), 792 T.J. Jackson Drive, Falling Waters, WV 25419-9502. The NVDC can be reached by telephone on 1-800-799-8362. In addition, you should contact the U.S. Coast Guard, Marine Safety Office, for the zone in which the Vessel will be operated, for information on licensing of vessel personnel and vessel inspections.

Questions concerning this waiver may be presented to MARAD's Division of Domestic Shipping at any time.

Sincerely,

W. W. Dean

for

Raymond R. Barberesi
Director, Office of
Ports and Domestic Shipping

IMPORTANT

**This is not a title. This is an official attachment to the
Vessel's Certificate of Documentation (CG-1270)**